



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Rex A. NISBET

Appl. No.: 09/847,322

Filed: May 3, 2001

For: **Allocation of Control Channel in a  
Communication System**

Confirmation No.: 5586

Art Unit: 2683

Examiner: Torres, Marcos L.

Atty. Docket: 1378.0030000

**Notice of Appeal from the Examiner to the Board  
of Patent Appeals and Interferences – Large Entity**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final decision of the Examiner dated April 26, 2004, in which claims 1-20 were twice rejected.

The fee for filing a Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences for a large entity (37 C.F.R. § 41.20(b)(1)), along with any necessary extension fees (37 C.F.R. § 1.17(a)), is provided in the attached Credit Card Payment Form (PTO-2038). In the event that extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

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340.00 DP

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: October 26, 2004

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